

PROB 12C
(7/93)

Report Date: December 16, 2009

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

DEC 17 2009

United States District Court
Eastern District of Washington

JAMES R. LARSEN, CLERK

DEPUTY

SPRINGFIELD, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Shannon Bruce Morley

Case Number: 2:01CR00104-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge

Date of Original Sentence: 9/4/2003

Original Offense: Use of Fire to Damage Property used in Interstate Commerce, 18 U.S.C. § 844(I)

Original Sentence: Prison - 92 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: George J. C. Jacobs, III

Date Supervision Commenced: 9/17/2009

Defense Attorney: Richard D. Wall

Date Supervision Expires: 9/16/2012

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violation previously reported to the Court on 11/09/2009.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
-------------------------	--------------------------------

2	Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime.
---	--

Supporting Evidence: Shannon Morley is considered in violation of his period of supervised release by committing the offenses of driving under the influence, eluding, assault in the third degree, and possession of stolen vehicle, on or prior to November 14, 2009.

The Washington State Patrol provided the following investigative report: "On November 14, 2009, at approximately 2:29 pm, a two vehicle collision occurred at the intersection of Allen Street and the southbound 39 exit ramp just west of Interstate 5 in Kelso, Washington. Shannon Bruce Morley, after consuming alcohol, was driving a stolen red Ford Escort southbound on Interstate 5 near milepost 44 attempting to elude a Washington State Trooper. Morley was driving at a high rate of speed when he took exit 39 and lost control near the bottom of the ramp. A Kelso Police Sergeant was at the bottom of the ramp with his lights activated attempting to warn other motorists. Morley drove off the roadway, vaulted across the sidewalk onto Allen Street and struck the driver's side of the Kelso Sergeant's patrol

Prob12C

Re: Morley, Shannon Bruce

December 16, 2009

Page 2

vehicle. Both Morley and the Sergeant were transported to St. John's Medical Center in Longview where they were treated for injuries. The Sergeant sustained a sprained left shoulder and a bruised left elbow. Morley was treated and released then booked into the Cowlitz County Jail. Morley's blood alcohol level was measured at .21 g/100ml."

Other reports noted the defendant was driving up to 100 miles per hour and weaving in and out of traffic prior to crashing his vehicle.

The defendant is detained at the Cowlitz County Jail under case number 09-1-01185-8. Currently, the defendant is scheduled for trial on January 25, 2010.

3

Standard Condition # 1: The defendant shall not leave the judicial district without the permission of the Court or probation officer.

Supporting Evidence: Shannon Morley is considered in violation of his period of supervised release by leaving the Eastern District of Washington without permission on or prior to November 14, 2009.

On November 14, 2009, the defendant was arrested by the Washington State Patrol in Kelso, Washington. The defendant had not obtained prior approval to travel outside the Eastern District of Washington.

4

Special Condition # 19: You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer) as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Shannon Morley is considered in violation of his period of supervised release by consuming alcohol on or prior to November 14, 2009.

After the defendant was arrested by the Washington State Patrol on November 14, 2009, a blood alcohol test was obtained. The defendant's blood alcohol level was measured at .21.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/16/2009

s/David L. McCary

David L. McCary
U.S. Probation Officer

Prob12C

Re: Morley, Shannon Bruce

December 16, 2009

Page 3

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Other

EFS
Sharon F. Shea

Signature of Judicial Officer

12/17/09

Date